

ROCKY FLATS CITIZENS ADVISORY BOARD**MINUTES OF WORK SESSION****April 3, 1997**

FACILITATOR: Renee Fitch, AlphaTRAC

Tom Marshall called the meeting to order at 6:05 p.m.

BOARD / EX-OFFICIO MEMBERS PRESENT: Alan Aluisi, Susan Barron, Jan Burda, Tom Clark, Tom Davidson, Eugene DeMayo, Tom Gallegos, Paul Grogger, Mary Harlow, Victor Holm, Susan Johnson, Sasa Jovic, Jim Kinsinger, Bob Kanick, Beverly Lyne, Tom Marshall, Linda Murakami, Gary Thompson / Larry Helmerick, Frazer Lockhart, Tim Rehder, Steve Tarlton**BOARD / EX-OFFICIO MEMBERS ABSENT:** David Navarro, Todd Saliman**PUBLIC / OBSERVERS PRESENT:** J. Anderson (RMRS); Kenneth Werth (citizen); Jim Stone (RFCC); D. Parker (citizen); Mike Moline (citizen); Hank Stovall (Broomfield); Matt Studzinski (citizen); Jack Hoopes (K-H); Michael P. Riendeau (AIMSI); Russell McCallister (RFFO); Mariane Anderson (DOE); Jeanie Sedgely (RFLII); Robert F. Warther (DNFSB); Alan Trenary (citizen); Jeff Kerridge (DOE); Ken Korkia (CAB staff); Erin Rogers (CAB staff); Deb Thompson (CAB staff)**PUBLIC COMMENT PERIOD:**

Comment: Hank Stovall: Recently a set of letters were sent from EPA to DOE regarding potentially streamlining and improving procedures relating to cleanup. I don't have to remind this committee that it's their responsibility to oversee site cleanup. As an elected official representing people downhill and downwind from Rocky Flats, when I see a so-called regulator proposing that processes be loosened rather than tightened or at least practiced in a safe manner, I have to be suspicious as to why such a memo ever got written. I believe there needs to be new and improved procedures. I believe ER projects ought to be stopped when unanticipated materials are found. I'd like to know who in the EPA, other than the writer of these letters, authorized such a position. This community has become highly sensitized to receiving radioactive fallout involuntarily for 37 or 38 years through accidents, fires and routine releases. Regarding the second part of this letter, I don't believe that plutonium in soil, even though it's in small quantities, is any less toxic than plutonium in its metallic form in buildings. I find this letter an outrage.

Response: Tim Rehder: The reason I wrote that letter is because I heard the site was considering putting a lot more procedures onto the ER work than was currently applied. I disagree with you. There's a big difference between nuclear operations and environmental restoration. With nuclear operations, the most important concern is criticality, which is what most nuclear engineers are worried about. You don't get that with plutonium in the amounts that are in the soils at Rocky Flats. To treat the Rocky Flats ER jobs exactly as the nuclear operation jobs would be a mistake; it would slow down the ER process and we would never

ADMIN RECORD

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get anything done. I don't think we suffer from a lack of procedures at Rocky Flats. I think we suffer sometimes just from a lack of good common sense. Tom Marshall: I believe the Environmental/Waste Management Committee may be tracking this issue, and perhaps can put a discussion about this on its agenda for April 17.

Comment: Kenneth Werth: The Ten Year Plan has assumptions of transporting nuclear waste down to WIPP, and WIPP's opening has again been delayed for six months. Every time DOE opens its mouth, it's delaying decisions of what the citizens want. I am very skeptical of what comes out of the mouth of DOE any more. I was listening to CSPAN the other day when they confirmed Peña. There is an issue that came up that there are over 60 organizations that have filed \$71 billion in lawsuits, against the WIPP site and Yucca Mountain. How long do you really think that litigation is going to last?

Comment: Mary Harlow: I would just like to back up what Hank Stovall had to say. I think the cities are really concerned because we knew the trench incident was handled improperly. We have met with DOE officials on the trench incident, and are frankly amazed that EPA took such a stand on it. The whole project was badly managed and I don't see how it could be set as a model.

ELECTION OF BOARD OFFICERS: CAB elected its 1997 officers. Tom Marshall will hold a second term as Chair, Mary Harlow was elected as Vice Chair, Tom Gallegos is the Board's new Secretary, and Linda Murakami will serve as CAB Treasurer.

WASTE TRANSPORTATION RECOMMENDATION (Eugene DeMayo): The National Issues Committee drafted a recommendation for the Board's consideration. The recommendation discussed various issues regarding transportation of radioactive waste through Colorado, and proposed specific recommendations such as suggesting that DOE consider using rail transportation for wastes, provide escort crews for waste shipments, test the shipping containers, designation of safe and secure parking areas for shipments, and other issues such as emergency medical response, terrorism and accidents. Board members discussed the recommendation in detail and provided comments to the committee and asked for further research. The committee will address the issues brought up by CAB members, rewrite the recommendation and bring it back to the Board for approval in the future.

PRIVATIZATION ISSUES DISCUSSION (Tom Clark): Tom has been conducting research on privatization at Rocky Flats and other sites. He gave an outline summary of issues discovered. As part of the Ten Year Plan for Rocky Flats, DOE is seeking to reduce costs and increase efficiency, and believes that: 1) private industry can provide a service at least if not more efficiently than the government; 2) competition between firms will increase efficiency over the typical cost-plus contract; 3) DOE environmental management projects historically have been over budget by about 38%. DOE uses the following criteria for funding privatization projects: open, fixed price competition; cost effective analysis; clearly defined scope of work; regulatory oversight must be in place; use only qualified contractors, and ensure that contractors have the financial capability to perform the project. Currently Rocky Flats has developed three privatization projects pending approval of its budget: D&D of building 779, D&D of building 886, and liquid waste treatment upgrades. Kaiser-Hill is also considering privatization initiatives separate from the Environmental Management Privatization Program, where specialized subcontractors will perform work as a cost-savings measure. All activities must be in accordance with the Workforce Restructuring Plan and applicable union contracts. Future privatization projects include new capital construction, facility D&D, and waste treatment and disposal. Projects that have

been submitted for FY99 include: low-level waste storage facility, transuranic/transuranic mixed waste staging/shipping facility, and groundwater remediation system.

Tom also gave an update on projects at two other sites. At Hanford, the advisory board has commented on issues related to the tank waste remediation system, where 55 million gallons of liquid, sludge and salt cakes make up the highest hazard and largest concentration of radioactive wastes at the site. The Board supports the concept of vitrification, but has concerns about the reliance on privatization in the EIS. The Hanford Advisory Board (HAB) considers the current privatization strategy to have a high risk of failure and advises against it. The Board does not believe money will be saved by privatization and is concerned about the large amount of funds that the government will need to set aside, a reserve fund close to the amount needed to invest in a plant. Hanford Advisory Board has asked DOE to consider a national insurance pool or a combined reserve fund for all sites. And at the Idaho National Engineering Laboratory (INEL), DOE awarded to BNFL a \$1.2 billion fixed-price contract to finance, construct, and operate a treatment facility for mixed radioactive and toxic wastes. Also, at Pit 9 at INEL, a multi-acre burial ground for waste, DOE has set objectives in its remediation plans to have the area serve as a demonstration project for technologies and a model project for privatization. The \$200 million fixed-price contract was awarded to Lockheed-Martin Advanced Environmental Systems. Currently the project is in trouble, is behind schedule, and has exceeded its budget by \$300 million.

RFCAB REVIEW OF MSC PROPOSAL AND UPCOMING ENVIRONMENTAL ASSESSMENT (Tom Clark): MSC is negotiating directly with Kaiser-Hill for the next stage of its project at Rocky Flats. As part of the NEPA process, DOE must prepare an environmental assessment. The National Issues Committee wants to prepare recommendations to DOE on 1) MSC's project and the pending environmental assessment, and 2) privatization in general. CAB members gave comments and input into these future recommendations to be drafted by the committee. The committee will continue its research and return to the Board with a proposed recommendation.

PUBLIC COMMENT PERIOD:

Comment: Alan Trenary: I'd like to reiterate my support of moving the most hazardous materials by rail. I'm not comfortable with these large containers that are going on the trucks. You have to consider the possibility that something could go wrong much easier with a truck. We could concentrate the more dangerous stuff onto a train loaded with technicians and have a staff on the train in the event that something happens. I'm the son of a truck driver, and I know what happens. It's a risky proposition when you're just hauling plywood, let alone radioactive waste. Since money was spent at WIPP to put in a railhead, it would be a shame to throw away that investment. There should be emphasis placed on that.

Comment: Kenneth Werth: I want to make one more comment on the transportation by rail or truck. By truck, there will be 35 years of transportation. We may have an influx of 850,000 more people in 10 years in the metro area. How are our highways going to support it? I'm not afraid of these truck drivers moving this material, I'm afraid of the nut that's on the highway right now. Our infrastructure right now will barely control highway use. I'm afraid of terrorism when you're using the tracks, but it sounds to me like it should really be looked into.

Comment: Beverly Lyne: I talked to representatives in Atlanta today, and the CDC grant to be awarded the first of March is postponed until about the first of May. They will meet next

week and decide on their revised plan. Also, we have submitted an application to the Lutheran Medical Center Foundation for a Jefferson County Healthy Communities Award. They are awarding three \$5,000 awards to community organizations who are working to promote the health and well-being of Jefferson County citizens. That will be awarded April 22 at a luncheon at the Arvada Center.

POSSIBLE PRESENTATION BY HANFORD EMPLOYEE CONCERNS COUNCIL

(Tom Marshall): Over the past year, the Site Wide Issues Committee has had a number of workers in attendance at committee meetings who have expressed concerns about worker issues and safety at the site. The committee is not necessarily the proper forum to address many of these concerns. Tom noted that at Hanford, there exists what is called the Hanford Joint Council on Employee Concerns, where workers can air their concerns and grievances. Pantex is also considering establishing a similar concept at that site. At last month's committee meeting, it was suggested that CAB invite someone from the Council to visit and talk to the Board about how it was formed, how it works and what it addresses. Some Board members expressed concerns about this issue, and whether CAB funds should be expended to pay for this. The committee will look into some of those concerns and return to the Board next month with a recommended course of action.

ENVIRONMENTAL/WASTE MANAGEMENT COMMITTEE UPDATE (Tom Gallegos): The committee has been primarily reviewing issues surrounding the Mound project. Last month it received a presentation on Trench T1, for which a PAM will be issued in the near future. Tom reviewed a list of documents which will be coming up for review and comment over the next year. A copy of this schedule will be distributed to each committee so that CAB can coordinate its responses to the documents. The committee will spend most of the summer reviewing and commenting on the 903 Pad IM/IRA.

EXECUTIVE SESSION:

- Hiring of Program Specialist. CAB approved the Personnel Committee's recommendation that the Board offer the position of Program Specialist to Christopher Millsaps.
- Maternity leave policy. CAB approved a maternity leave policy, which allows for six weeks of paid leave for medical and maternity benefit, in addition to six weeks of either paid leave that comes from the employee's vacation or sick time, or unpaid leave, for a total of 12 weeks for the employee. CAB also agreed that unpaid leave will not allow accumulation of sick and vacation benefits, but paid leave will allow for such accumulation. Also, the health benefits will be maintained during maternity leave, and the position will be restored to the employee after the maternity leave is ended, according to the current policy as written. Certification is required in order to take leave. The policy at this time only applies to maternity leave; a separate disability/medical leave policy for family leave and paternity leave will be re-addressed at a future date.
- Spring mini-retreat. The Executive Committee would like CAB to hold a half-day retreat in late May or early June to discuss the proposed CAB/DOE interactive process. Board members were unable to agree on a date. Staff will send out a questionnaire to Board members with proposed dates.

NEXT MEETING:

Date: May 1, 1997, 6 - 9:30 p.m.

Location: Westminster City Hall, lower-level Multi-Purpose Room, 4800 West 92nd Avenue, Westminster

Agenda: *Presentation on historic preservation issues at Rocky Flats; review of draft reports for Task I and II of Environmental Monitoring Research/Parker-Hall;*

ACTION ITEM SUMMARY: ASSIGNED TO:

1. Research waste transportation issues, rewrite recommendation and return with revised draft to CAB - National Issues Committee
2. Continue research and draft proposed recommendation on MSC - National Issues Committee
3. Continue research and draft proposed recommendation on privatization - National Issues Committee
4. Review issues regarding invitation to Hanford Joint Council Employee Concerns; return to CAB with recommended course of action - Site Wide Issues Committee
5. Send memo with proposed dates for CAB half-day retreat to Board members - Staff

MEETING ADJOURNED AT 10:05 P.M. *

(* Taped transcript of full meeting is available in CAB office.)

RESPECTFULLY SUBMITTED:

David Navarro, Secretary
Rocky Flats Citizens Advisory Board

The Rocky Flats Citizens Advisory Board is a community advisory group that reviews and provides recommendations on cleanup plans for Rocky Flats, a former nuclear weapons plant outside of Denver, Colorado.

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